

REMARKS

Status of the Claims

Claims 1 and 3-31 are pending with Claims 1, 11, 18 and 25 being independent. Claims 1, 5, and 7 have been amended. Claims 11-31 have been withdrawn from consideration. Support for the claim changes can be found in the original disclosure, and therefore no new matter has been added.

Requested Action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection in view of the foregoing amendments and the following remarks.

Claim Rejection

Claims 1 and 3-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,661,564 (Tomida et al.)

In response, while not conceding the propriety of the rejection, independent Claim 1 has been amended. Applicants submit that as amended, Claim 1 is allowable for the following reasons.

Independent Claim 1 relates to an image forming apparatus operable in a first image formation mode for forming an image on an image bearing member by using developer under a first predetermined image forming condition and a second image formation mode for forming an image on an image bearing member by using developer under a second image forming condition which is different from the first predetermined image forming condition and is set so that an amount of consumption of developer with respect to an identical image in the second image

formation mode is smaller than that in the first image formation mode. Claim 1 also recites that the apparatus comprises a storing device configured to store information on an amount of usage of the image bearing member, an image processing controller configured to discriminate a size of a concentrated pixel area in image information when the second image formation mode is set, and a controller.

Claim 1 has been amended to recite that the controller is configured to set the image forming apparatus in the first image formation mode or the second image formation mode. Claim 1 has also been amended to recite that the controller, in a state in which the controller is configured to set the image forming apparatus in the second image formation mode, controls the second image forming condition on the basis of a discrimination result of the image processing controller and the information stored in said storing device.

By this arrangement, it is possible to decrease the amount of consumption of a developer while keeping a stable image irrespective of the amount of usage of an image bearing member.

In contrast, the citation to Tomida et al. is not understood to disclose or suggest that in a state in which a controller is configured to set an image forming apparatus in a second image formation mode, the controller controls a second image forming condition, under which an image is formed on an image bearing member in the second image formation mode, on the basis of a discrimination result of an image processing controller that discriminates a size of a concentrated pixel area in image information when the second image formation mode is set, and the information on an amount of usage of the image bearing member stored in said storing device, as recited by amended Claim 1. Rather, the Tomida et al. citation is understood to disclose a facsimile apparatus in which whether or not a toner save flag is set in a recording image is judged and then the apparatus is controlled so as to record the image in a toner save mode when the

toner save flag is set and record the image in a non toner save mode when the toner save flag is not set. Thus, this citation is understood to merely disclose selection of the toner save mode or the non toner save mode. It is not understood to disclose a controller that controls a second image forming condition, under which an image is formed on an image bearing member in a second image formation mode, on the basis of a discrimination result of an image processing controller that discriminates a size of a concentrated pixel area in image information when the second image formation mode is set, and the information on an amount of usage of the image bearing member stored in said storing device, as recited by amended Claim 1.

Since this citation is not understood to disclose or suggest at least one feature of amended Claim 1, the Office is not understood to have yet satisfied its burden of proof to establish the anticipation of amended Claim 1. For this reason, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from independent Claim 1, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Applicants respectfully request that this Amendment After Final be entered. This Amendment was not presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicants believe that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, Applicants submit that this Amendment places the application in condition for allowance. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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